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DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/536,494

Applicant: Hoffmann et al.

Filed: May 24, 2005

TC/AU: 1711

Examiner: Unassigned

Docket No.: 235811 (Client Reference No. 059P 0579)

Customer No.: 23460

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO CORRECT FILING DATE PURSUANT TO 37 C.F.R. § 1.10(D)**

Dear Sirs:

Applicants petition, pursuant to 37 C.F.R. § 1.10(d), that a correction of filing date be granted in the above-identified matter.

**A. Summary**

Applicants purportedly filed the subject patent application on May 24, 2005.

**B. Submission**

In support of Applicants' request the following materials are submitted herewith:

1. A copy of the Utility Application Transmittal with Certificate of Express Mailing corresponding to label number EV420401556US dated May 24, 2005. (Appendix A)
2. A copy of Applicants' return receipt postcard dated May 24, 2005. (Appendix B)
3. A copy of Express Mail Label No. EV420401556US showing the U.S. Postal attendant's incorrect date of May 25, 2005. (Appendix C)

4. A copy of the U.S. Postal Service's "Track & Confirm" email confirming the acceptance date of the package on May 24, 2005. (Appendix D)

**C. Statement**

Attached hereto is a statement, based on personal knowledge of the signatory of the Certificate of Express Mailing Under 37 C.F.R. 1.10, attesting to the May 24, 2005 filing date of the patent application referred to herein.

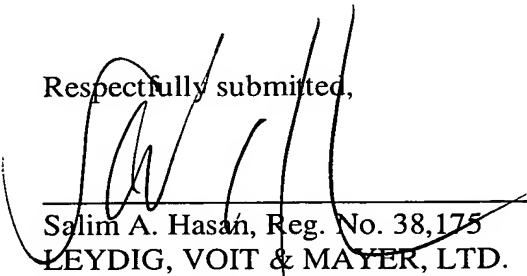
**D. Withdrawal of Time Delay Holding**

Applicants respectfully request acknowledgement that the patent application was filed on May 24, 2005, and that a correct filing receipt be issued accordingly.

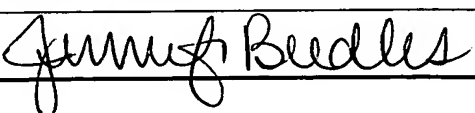
**E. Charge**

The Commissioner is hereby authorized to charge the Deposit Account No. 12-1216 the Petition fee in the amount of \$130.00 pursuant to 37 C.F.R. § 1.17(h).

Respectfully submitted,

  
Salim A. Hasan, Reg. No. 38,175  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson Avenue  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: July 19, 2006

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number <input checked="" type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number:			
Name (Print/Type)	Jennifer Beedles		
Signature		Date	July 19, 2006



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application No. 10/536,494

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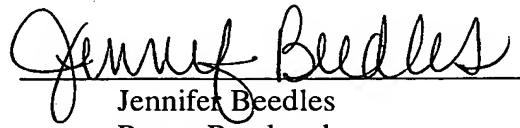
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT ATTESTING TO FILING OF CORRESPONDENCE  
PURSUANT TO 37 C.F.R. § 1.10**

Dear Sirs:

1. My name is Jennifer Beedles. I am a patent paralegal for the firm of Leydig, Voit & Mayer, Ltd.
2. On May 24, 2005, I deposited the above-identified patent application with the U.S. Postal Service via Express Mail No. EV420401556US. A copy of the Utility Application Transmittal with corresponding Certificate of Express Mailing dated May 24, 2005 is attached as Appendix A and a copy of Applicants' return receipt postcard dated May 24, 2005 is attached as Appendix B.
3. The postal attendant wrote "May 25, 2005" as the "Date In" on the Express Mail Label. A copy of Express Mail Label No. EV420401556US, showing the incorrect date of May 25, 2005, is attached as Appendix C.

4. The U.S. Postal Service accepted the Express Mail package on May 24, 2005. A copy of the U.S. Postal Service's "Track & Confirm" confirming the mailing date of the patent application on May 24, 2005 is attached as Appendix D.

  
Jennifer Beedles  
Patent Paralegal

Date: July 19, 2006

# Appendix A

PTO-1390 (May)



TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER <b>235811</b>
		CLIENT REF. NO. <b>059P 0579</b>
		U.S. APPLICATION NO. (if known, see 37 CFR 1 <b>Unassigned</b>
		PRIORITY DATE CLAIMED <b>17 December 2002</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/014364</b>	INTERNATIONAL FILING DATE <b>17 December 2003</b>	

TITLE OF INVENTION <b>COPOLYAMIDES</b>
APPLICANT(S) FOR DO/EO/US <b>Hoffmann et al.</b>

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC 371 and 37 CFR 1.491.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371 and 37 CFR 1.491.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)).
4. ☐ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 USC 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 USC 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has previously been submitted under 35 U.S.C.V. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).
11. Nucleotide and/or Amino Acid Sequence Submission
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper Copy
  - c. ☐ Statement verifying identity of above copies

Items 12 to 20 below concern other document(s) or information included:

12. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  - ☒ Form PTO-1449
  - ☒ Copies of References (except for U.S. patents and applications)
13. ☐ An assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☒ A **FIRST** preliminary amendment.
15. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Application Data Sheet Under 37 CFR 1.76
19. ☒ Return Receipt Postcard
20. ☐ Other items or information:

SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>Unassigned</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP03/014364</b>		ATTORNEY DOCKET NO. <b>235811</b>		CLIENT REF. NO. <b>059P 0579</b>			
The following fees are submitted:						<b>CALCULATIONS</b>		<b>PTO USE ONLY</b>	
21. <input checked="" type="checkbox"/> Basic national fee ..... <b>\$300</b>						<b>\$300.00</b>			
22. <input checked="" type="checkbox"/> Examination Fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$100</b> All other situations ..... <b>\$200</b>						<b>\$200.00</b>			
23. <input checked="" type="checkbox"/> Search Fee USPTO was ISA ..... <b>\$100</b> Search report provided to USPTO by other entity ..... <b>\$400</b> All other situations ..... <b>\$500</b>						<b>\$500.00</b>			
<b>TOTAL OF 21, 22 AND 23 =</b>						<b>\$1,000.00</b>			
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.						<b>\$</b>			
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof (round up to a whole number)		RATE			
- 100 =		/ 50 =				x \$250		<b>\$</b>	
<input type="checkbox"/> Surcharge of <b>\$130</b> for furnishing the National fee or oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).						<b>\$</b>			
CLAIMS		NUMBER FILED		NUMBER EXTRA		RATE			
Total Claims		18 - 20 =		0		x \$ 50		<b>\$0.00</b>	
Independent Claims		1 - 3 =		0		x \$200		<b>\$0.00</b>	
<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>						<b>+ \$360</b>		<b>\$</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>						<b>\$1,000.00</b>			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.						<b>\$ ( )</b>			
<b>SUBTOTAL =</b>						<b>\$1,000.00</b>			
<input type="checkbox"/> Processing fee of <b>\$130</b> for furnishing English Translation later than 30 months from the earliest claimed priority date.						<b>\$</b>			
<b>TOTAL NATIONAL FEE =</b>						<b>\$1,000.00</b>			
<input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40</b> per property.						<b>\$</b>			
<b>TOTAL FEES ENCLOSED =</b>						<b>\$1,000.00</b>			
						Amount to be: refunded		<b>\$</b>	
						Amount to be: charged:		<b>\$</b>	

- a. ☐ No fee is believed to be due.
- b. ☒ Please charge Deposit Account No. 12-1216 the total fee indicated above.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is enclosed.

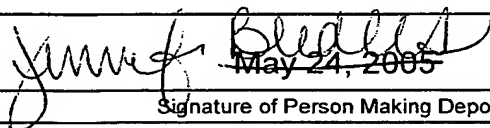
**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO CUSTOMER NO. 23460.

**23460**

*Salim A. Hasan*  
 Salim A. Hasan, Registration No. 38,175  
 LEYDIG, VOIT & MAYER, LTD.  
 Two Prudential Plaza, Suite 4900  
 180 North Stetson Avenue  
 Chicago, Illinois 60601-6780  
 (312) 616-5600 (telephone)  
 (312) 616-5700 (facsimile)

Date: May 24, 2005

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>Unassigned</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP03/014364</b>	ATTORNEY DOCKET NO. <b>235811</b>	CLIENT REF. NO. <b>059P 0579</b>
<b>EV 420401556 US</b> "Express Mail" Mailing Number		<b>May 24, 2005</b> Date of Deposit	
<p>I hereby certify that this transmittal document with respect to the U.S. national phase of the above-referenced International Patent Application, including all of the items listed thereon as enclosures, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p>			
<b>Jennifer Beedles</b> Typed or Printed Name of Person Making Deposit		 <del>May 24, 2005</del> Signature of Person Making Deposit	

# Appendix B



THE PATENT AND TRADEMARK OFFICE IS RESPECTFULLY REQUESTED TO PLACE ITS STAMP ON THIS POSTAL CARD AND PLACE IT IN THE OUTGOING MAIL TO SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED.

EXPRESS MAIL NO. EV 420401556 US **10/536494**

**JC02 Rec'd PCT/PTC 25 MAY 2005**

Docket No. 235811

Client: Pfenning

Inventor: Hoffmann et al.

Attorney: SAH

Return postcard to: jb2

Mailing Date: May 24, 2005

- ☐ CON; ☐ CIP; ☐ DIV; ☐ Non-prov. of prov.; ☐ Provisional; ☒ National stage of PCT
- ☐ Small entity status is claimed.
- ☒ Transmittal letter in duplicate. Total pages 6
- ☒ Application Data Sheet. Total pages 5
- ☒ Specification. Total pages 14
- ☒ Claims. Total pages 4
- ☒ Abstract. Total pages 1
- ☐ Drawings. Total pages \_\_\_\_\_
- ☐ Combined Declaration and Power of Attorney. Total pages \_\_\_\_\_. ☐ Executed; ☐ Unexecuted
- ☐ Provisional Power of Attorney. Total pages \_\_\_\_\_
- ☐ Associate Power of Attorney. Total pages \_\_\_\_\_
- ☒ Preliminary Amendment. Total pages 6
- ☐ Nucleotide/Amino Acid Sequence Listing Submission and Statement.
- ☐ Computer-readable
- ☐ Paper Copy. Total pages \_\_\_\_\_
- ☒ Information Disclosure Statement in duplicate. Total pages 8
- ☒ Form PTO-1449. Total pages 1
- ☒ Copies of listed documents AH-AV
- ☐ Assignment Papers. Total pages \_\_\_\_\_
- ☒ Copy of International Search Report. Total pages 2
- ☐ Other: \_\_\_\_\_ Total pages \_\_\_\_\_

**LAH**

**GMT**



# Appendix C

Customer Copy  
Label 11-F June 2002



EV 420401556 US



Post Office To Addressee

## ORIGIN (POSTAL USE ONLY)

EO Zip Code 60601-3	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In Mo. 5 Day 25 Year 05	Postage \$ 24.20	Return Receipt Fee
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	
Weight 3.1 lbs	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials JH	Total Postage & Fees \$ 24.20

## DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
<input type="checkbox"/> <b>WAIVER OF SIGNATURE (Domestic Only)</b> Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
<b>NO DELIVERY</b> <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
Customer Signature		

## CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or  
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE

312 616 5600

LEYDIG VOIT MAYER  
180 N STETSON AVE STE 4900  
2 PRUDENTIAL PLAZA  
CHICAGO IL 60601-6745

TO: (PLEASE PRINT)

PHONE

MS  
COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA VA 22313-1450

235811-Pfennig (SAH/862)

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



# Appendix D

**Beedles, Jennifer**

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**From:** U.S.\_Postal\_Service\_ [U.S.\_Postal\_Service@usps.com]  
**Sent:** Friday, July 14, 2006 2:35 PM  
**To:** Beedles, Jennifer  
**Subject:** U.S. Postal Service Track & Confirm email Restoration - EV42 0401 556U S

This is a post-only message. Please do not respond.

Jennifer Beedles has requested that you receive this restoration information for Track & Confirm as listed below.

Current Track & Confirm e-mail information provided by the U.S. Postal Service.

Label Number: EV42 0401 556U S

Service Type: Express Mail - Post Office to Addressee

Shipment Activity	Location	Date & Time
Delivered	ALEXANDRIA VA 22313	05/25/05 8:47am
Arrival at Unit	DULLES VA 20102	05/25/05 8:07am
Acceptance	CHICAGO IL 60601	05/24/05 4:56pm

USPS has not verified the validity of any email addresses submitted via its online Track & Confirm tool.

For more information, or if you have additional questions on Track & Confirm services and features, please visit the Frequently Asked Questions (FAQs) section of our Track & Confirm site at <http://www.usps.com/shipping/trackandconfirmfaqs.htm>